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Reply to Office action dated February 25, 2005

A. Independent claims 1, 14, and 29

Independent claims 1, 14, and 29 substantially recite that (1) an electronic message is interrogated to detect a human-readable access restriction notice applicable to both electronic and non-electronic distribution of information contained in at least a portion of the electronic message, and (2) the detection of the access restriction notice is responded to in accordance with a prescribed transmission policy for handling electronic messages containing the detected human-readable access restriction notice. "Exemplary access restriction notices include "Copyright", "Confidential", "attorney-Client Privileged" or "Attorney Work Product", "Proprietary", and "Internal Use Only" (see, e.g., page 4, lines 8-10, of the application). When associated with information contained in an electronic message, each of these exemplary types of human-readable access restriction notices applies to both electronic and non-electronic distribution of that information. For example, when an e-mail message or a text document contains a copyright notice symbol (©), the copyright notice symbol gives the reader notice that copyright restrictions apply to both electronic and non-electronic distribution of the information contained in the message or document.

As explained in detail below, Hartrick's document manager system is not configured to interrogate an electronic message to detect a human-readable access restriction notice applicable to both electronic and non-electronic distribution of information contained in at least a portion of the electronic message and to respond the detection of the access restriction notice in accordance with a prescribed transmission policy for handling electronic messages containing the detected access restriction notice. In particular, Hartrick's document manager system

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searches structured documents for "special indicium tags" and manages telecommunication of soft copies of the structured documents based on detection of these special indicium tags. For example, Hartrick explains that (col. 5, line 63, through col. 6, line 11):

In accordance with the invention, special strings such as a copyright notice or such as a security label, are embedded within special indicia elements having special structured document tags in the structured document. Specifically, the copyright notice element 40 is a string embedded between a begin tag [cpr] and an end tag [/cpr]. Similarly, the security label string "Do Not Copy" is embedded in the structured document text within a begin tag [sec2] and an end tag [/sec2]. When the processor 20 detects the presence of a special indicium tag such as a copyright begin tag or such as a security label begin tag, it makes special note of their presence within the memory 22, so that when specified display 26, printer 44, disk drive storage 46, communications adapter 48 or enunciator 52 functions are requested, corresponding actions are taken in accordance with the type of special indicium.

The special indicium tags that are detected by Hartrick's document manager system are not human-readable access restriction notices. Indeed, these tags are not displayed or printed by Hartrick's document manager system and therefore are not human-readable portions of the structured documents. The special indicium tags are used by the document manager system only to set machine-readable "ON" flags in a parameter table 56, which specifies how the document manager system responds to user requests to display, print, save, communicate, and render structured documents.

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In addition to not being human-readable, the special indicium tags and the "ON" flags apply only to the electronic distribution of the structured documents by a suitably configured document manager system. For example, with regard to communication of a structured document over a communications link, Hartrick explains that (col. 11, line 38, through col. 12, line 3):

The process begins with step 400 wherein the user requests the communication of the formatted text stream 25. Step 402 then determines whether there is a "Do Not Copy" security tag "[sec2]" or alternately a "Do Not Send" element with a tag "[sec3]" as would be determined by corresponding flag bits being on in column 62 of table 56. If there is, then the process flows to step 404 where the communications operation is aborted, and then it flows to step 406 where a notice is displayed on the display screen 26 that this is either a "Do Not Copy" or a "Do Not Send" document. The process then returns to the main program. Alternately, if step 402 determines that there is no "Do Not Copy" or "Do Not Send" label in the parameter table 56, then the process flows to step 403' where it is determined whether the copyright flag is present. If the copyright flag is present, the process flows to step 405 to determine if the copy session flag is on. If it is on, then the process flows to step 407' where the copyright string is displayed on the display 26 and a prompt is also displayed to the user requesting whether the user wishes to continue. If the user wishes to continue, the user must so indicate by pressing a key on the keyboard 50. Step 409 turns off the copy session flag. In this manner the notice to step 407 is displayed only the first time a command is made in step 400. Step 411' determines whether the user has indicated he wishes to continue. If the user wishes to continue, then the process flows to step 408. If the user indicates he does not wish to continue, then the process returns to the

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main program. Step 408 carries out the operation of sending the formatted text stream 25 over a communications link using the communications adapter 48. The process then returns to the main program.

That is, in Hartrick's approach, the document manager system implements a structured document transmission policy based on the presence or absence of certain machine-readable flags in the "ON" column 62 of the parameter table 56. These flags apply only to electronic distribution of information contained in the structured documents; these flags do not apply to non-electronic distribution of information contained in the structured documents. Indeed, these flags have no meaning outside of Hartrick's document manager system.

For at least this reason, the Examiner's rejection of independent claims 1, 14, and 29 under 35 U.S.C. § 102(b) over Hartrick should be withdrawn.

It is noted that Hartrick does not teach or suggest anything that would have led one of ordinary skill in the art at the time of the invention to modify his document manager system to interrogate an electronic message to detect a human-readable access restriction notice that is applicable to both electronic and non-electronic distribution of information contained in at least a portion of the electronic message. Hartrick's invention is directed to the detection of special machine-readable indicium tags in structured documents (see, e.g., col. 3, lines 45-49). Hartrick does not describe anything relating to the detection of a human-readable access restriction notice, much less to the detection of a human-readable access restriction notice that is applicable to both electronic and non-electronic distribution of information contained in at least a portion of an electronic message. Therefore, one of ordinary skill in the art at the time the invention was made would not have been led by Hartrick's disclosure to modify his document manager system

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to interrogate an electronic message to detect a human-readable access restriction notice.

B. Dependent claims 2-5, 15-18, and 30-32

Claims 2-5 and 30 incorporate the features of independent claim 1, claims 15-18 and 31 incorporate the features of independent claim 14, and claim 32 incorporates the features of independent claim 29. Therefore, claims 2-5, 15-18, and 30-32 are patentable over Hartrick for at least the same reasons explained above.

III. Conclusion

For the reasons explained above, all of the pending claims are now in condition for allowance and should be allowed.

Charge any excess fees or apply any credits to Deposit Account No. 19-2179.

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Respectfully submitted,

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